

**SUPREME COURT MINUTES  
FRIDAY, AUGUST 27, 2010  
SAN FRANCISCO, CALIFORNIA**

**S010071****PEOPLE v. BROWN, JR.,  
(ALBERT GREENWOOD)**

Application for stay denied

The “Emergency Motion for Stay of August 30, 2010, Hearing to Set Execution Date and for Appointment of Counsel,” filed on August 26, 2010, is denied.

**S026408****PEOPLE v. LYNCH  
(FRANKLIN)**

Time extended to consider modification or rehearing

The time for granting or denying rehearing in the above-entitled case is hereby extended to November 10, 2010, or the date upon which rehearing is either granted or denied, whichever occurs first.

**S171442**

B194209 Second Appellate District, Div. 3

**LU (LOUIE HUNG KWEI) v.  
HAWAIIAN GARDENS  
CASINO, INC.**

Time extended to consider modification or rehearing

The finality of the opinion in the above-entitled case is hereby extended to October 8, 2010.

**S184234**

B206881 Second Appellate District, Div. 3

**ELECTRIC FUND CASES**

The time for granting or denying review in the above-entitled matter is hereby extended to October 4, 2010.

**S184417**

B222589 Second Appellate District, Div. 4

**SOLIZ (JAMES) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 6, 2010.

**S027094****PEOPLE v. ELLIOT  
(MARCHAND)**

Extension of time granted

Good cause appearing, counsel's request for an extension of time in which to file the appellant's reply brief is granted to October 8, 2010. After that date, no further extension will be granted.

**S048543****PEOPLE v. ROUNTREE  
(CHARLES F.)**

Extension of time granted

Good cause appearing, and based upon counsel Peter Hensley's representation that he anticipates filing the appellant's reply brief by October 22, 2010, counsel's request for an extension of time in which to file that brief is granted to October 22, 2010. After that date, no further extension is contemplated.

**S077524****PEOPLE v. SALAZAR  
(MAGDALENO)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Ellen J. Eggers's representation that she anticipates filing the appellant's opening brief by January 30, 2011, counsel's request for an extension of time in which to file that brief is granted to November 18, 2010. After that date, only two further extensions totaling about 80 additional days are contemplated.

**S103087****PEOPLE v. POST (JOHN)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Tita Nguyen's representation that she anticipates filing the respondent's brief by November 17, 2010, counsel's request for an extension of time in which to file that brief is granted to October 18, 2010. After that date, only one further extension totaling about 30 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S137307****PEOPLE v. MORALES  
(JOHNNY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 8, 2010.

**S151243****TOBIN (CHRISTOPHER  
ALLAN) ON H.C.**

Extension of time granted

Good cause appearing, and based upon State Public Defender Michael J. Hersek's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by December 2010, counsel's request for an extension of time in which to file that document is granted to October 26, 2010. After that date, only one further extension totaling about 60 additional days is contemplated.

**S154541****LANCASTER (ANDREW) ON  
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Zee Rodriguez's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by March 31, 2011, counsel's request for an extension of time in which to file that document is granted to November 1, 2010. After that date, only three further extensions totaling about 150 additional days are contemplated.

**S175275****(JOHN CLYDE) ON**

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**H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General James D. Dutton's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by December 6, 2010, counsel's request for an extension of time in which to file that document is granted to November 8, 2010. After that date, only one further extension totaling about 30 additional days is contemplated.

**S178166****MARLOW (JAMES G.) ON  
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Pamela A. Ratner's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by November 2, 2010, counsel's request for an extension of time in which to file that document is granted to November 2, 2010. After that date, no further extension is contemplated.

**S179730** C059288 Third Appellate District**PEOPLE v. BRANNER  
(JASPER DWIGHT)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to October 4, 2010.

**S180289** D055068 Fourth Appellate District, Div. 1**PEOPLE v. MAIKHIO  
(BOUHN)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to September 29, 2010.

**S182407** G042454 Fourth Appellate District, Div. 3**EPISCOPAL CHURCH  
CASES**

Extension of time granted

On application of petitioners and good cause appearing, it is ordered that the time to serve and file petitioner's answer brief on the merits is extended to October 8, 2010. No further extensions of time are contemplated.

**S184910** A127285/A127305 First Appellate District, Div. 4 **BENSON (PETER A.) v. S.C.  
(PICON)**

Extension of time granted

On application of real party in interest and good cause appearing, it is ordered that the time to serve and file the reply to answer to petition for review is extended to September 13, 2010.

**S185812** A126005 First Appellate District, Div. 2**PEOPLE v. JONES  
(CHARLES THOMAS)**

Order filed

The time for granting review on the court's own motion is hereby extended to October 28, 2010. (Cal. Rules of Court, rule 8.512(c).)

**S175005****ESTRADA ON DISCIPLINE**

Probation revoked

The court orders that the probation of ROSE MARIE ESTRADA, State Bar Number 214510, is revoked. The court further orders that ROSE MARIE ESTRADA is suspended from the practice of law for one year, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. ROSE MARIE ESTRADA is suspended from the practice of law for the first ninety days of

her probation.

2. ROSE MARIE ESTRADA must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order filed on May 27, 2010.
3. At the expiration of the period of probation, if ROSE MARIE ESTRADA has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

ROSE MARIE ESTRADA must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S175509****TOKARCZYK ON  
DISCIPLINE**

Probation revoked

The court orders that the probation of GREGORY JOHN TOKARCZYK, State Bar Number 150924, is revoked. The court further orders that:

1. GREGORY JOHN TOKARCZYK is suspended from the practice of law for one year.
2. GREGORY JOHN TOKARCZYK is given credit towards the one-year suspension for the period of involuntary inactive enrollment which commenced on June 13, 2010.

GREGORY JOHN TOKARCZYK must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. GREGORY JOHN TOKARCZYK must also reimburse the Client Security Fund to the extent that the misconduct in this matter results in the payment of funds and such payment is enforceable as provided under Business and Professions Code section 6140.5.

**S177201****HONDA ON DISCIPLINE**

Probation revoked

The court orders that the probation of MARSHA NOREEN HONDA, State Bar Number 100894, is revoked. The court further orders that MARSHA NOREEN HONDA is suspended from the practice of law for two years, execution of that period of suspension is stayed, and she is placed on probation for three years subject to the following conditions:

1. MARSHA NOREEN HONDA is suspended from the practice of law for a minimum of the first year of her probation (with credit given for the period of involuntary inactive enrollment

which commenced on June 8, 2010), and she will remain suspended until the following requirements are satisfied:

- i. She schedules a meeting with her probation deputy; obtains an examination of her mental and physical condition with respect to her mental health issues from an approved and qualified practitioner; and provides the State Bar's Office of Probation with appropriate medical and confidentiality waivers and access to all of her medical records necessary to monitor her compliance with her mental-health-issue condition of probation.
  - ii. If she remains suspended for two years or more as a result of not satisfying the preceding condition, she must also provide proof to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law before her suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. MARSHA NOREEN HONDA must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order filed on June 8, 2010.
  3. At the expiration of the period of probation, if MARSHA NOREEN HONDA has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

MARSHA NOREEN HONDA must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S185720****JARVIS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of SHARON PATRICIA JARVIS, State Bar Number 50820, as a member of the State Bar of California is accepted.

**S185722****KRAUSE ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of STEPHEN MICHAEL KRAUSE, State Bar Number 71550, as a member of the State Bar of California is accepted.

**S185735****CLARK ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of CYNTHIA MARIE CLARK, State Bar Number 81674, as a member of the State Bar of California is accepted.

**S185737****COTTONE ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of GARY ALLAN COTTONE, State Bar Number 157674, as a member of the State Bar of California is accepted.

**S185738****FOLTZ, JR., ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ROBERT BRUCE FOLTZ, JR., State Bar Number 90925, as a member of the State Bar of California is accepted.

**S185739****GAINES ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of PAUL GAINES, JR., State Bar Number 24770, as a member of the State Bar of California is accepted.

**S185745****GROSS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ALISON ALTMAN GROSS, State Bar Number 232522, as a member of the State Bar of California is accepted.

**S185749****GROSS ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of MURRAY BARRY GROSS, State Bar Number 61362, as a member of the State Bar of California is accepted.

**S185751****HARLAN ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of JAMES GORDON HARLAN, State Bar Number 71113, as a member of the State Bar of California is accepted.

**S185753****JORGENSEN ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ERIC WALTER JORGENSEN, State Bar Number 46845, as a member of the State Bar of California is accepted.

**S185755****KING ON RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of HEATHER DONNELLAN KING, State Bar Number 152717, as a member of the State Bar of California is accepted.

**S185756****JOHNSON ON  
RESIGNATION**

Voluntary resignation accepted

The court orders that the voluntary resignation of ELEANOR NANCY JOHNSON, State Bar Number 218037, as a member of the State Bar of California is accepted.

**A129418**

First Appellate District

**SANDOVAL (MIKE) v.  
WORKERS'  
COMPENSATION APPEALS  
BOARD ET AL.**

The above-entitled matter, now pending in the Court of Appeal, First Appellate District, is transferred to the Court of Appeal, Sixth Appellate District.

**B225363**

Second Appellate District, Div. 8

**PEOPLE v. McDOWELL  
(DEMETRIUS)**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Eight to Division Five.

**B226349**

Second Appellate District, Div. 5

**PEOPLE v. ELDER  
(RODERICK CRAIG)**

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Five to Division Eight.



**BAR MISC. 4186    IN THE MATTER OF THE APPLICATION OF THE COMMITTEE  
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA  
FOR ADMISSION OF ATTORNEYS (MOTION NO. 938)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

**1013939-10**

The HONORABLE PETER J. SIGGINS, Associate Justice of the Court of Appeal, First Appellate District, Division Three, is hereby assigned to assist the Supreme Court, as a justice thereof, on August 27, 2010, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

**SUPREME COURT OF CALIFORNIA  
ORAL ARGUMENT CALENDAR  
SAN FRANCISCO SESSION  
SEPTEMBER 7 and 8, 2010**

**SECOND AMENDED**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on September 7 and 8, 2010.

**TUESDAY, SEPTEMBER 7, 2010 — 1:00 P.M.**

- (1) S153852 Ameron International Corp. v. Insurance Co. of the State of Pennsylvania and consolidated case (*Corrigan, J., not participating; Siggins, J., assigned justice pro tempore*)
- (2) S176983 People v. Engram (Terrion Marcus)
- (3) S176171 Kling v. Superior Court of Ventura County; People, Real Party in Interest
- (4) S172589 Lopez v. Superior Court of San Bernardino County; People, Real Party in Interest

**WEDNESDAY, SEPTEMBER 8, 2010 — 9:00 A.M.**

- (5) S183411 Professional Engineers in California Government et al. v. Schwarzenegger
- (6) S181760 St. John's Well Child and Family Center et al. v. Schwarzenegger  
(Werdegart, J., not participating; Rylaarsdam, J., assigned justice pro tempore)

**1:30 P.M.**

- (7) S175242 In re Jenkins (Harvey Zane) on Habeas Corpus
- (8) S079179 People v. Bacon (Robert Allen) [Automatic Appeal]
- (9) S075875 People v. Russell (Timothy) [Automatic Appeal]

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*Chief Justice*

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)